

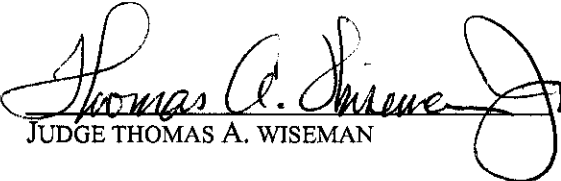
JV, L.P., have agreed that the funds interpled with the Court, including all accrued interest, should be distributed, as follows: ninety-five percent (95%) to Colonial and five percent (5%) to Park Nashville.

3. The Clerk will deduct a fee from the interest earned on the interpled funds equal to ten percent (10%) of the interest earned since the funds deposit with the Bank of America pursuant to the Court's Orders of May 23, 2008.

4. Immediately upon entry of this Order, the Clerk and Bank of America shall distribute the Funds, including all accrued interest minus a fee to the Clerk of ten percent (10%) of the interest earned since the Funds were deposited with Bank of America, upon the terms set forth in this Order by check or wire to counsel for Park Nashville, Boulton Cummings Conners Berry, PLC, and to counsel for Colonial, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C..

4. Any and all claims or counterclaims that have been or could have been brought by any of the parties to this action are dismissed with prejudice. The parties shall bear their own costs and attorneys' fees and expenses.

Enter this the 23 day of December, 2008.


JUDGE THOMAS A. WISEMAN